

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

INTERFOCUS INC., A California  
Corporation,

Plaintiff,

v.

The Defendants Identified in SCHEDULE  
A,

Defendant.

Case No.: 1:22-cv-02259

Judge Steven C. Seeger

**PLAINTIFF'S MOTION TO EXTEND THE TIME FOR FILING JOINT STATUS  
REPORT AND PROPOSED SCHEDULING ORDER UNTIL 30-DAYS AFTER  
COURT RULES ON PLAINTIFF'S EX PARTE MOTION FOR TRO**

Pursuant to the Order issued by this Court on May 2, 2022, Plaintiff INTERFOCUS INC. (“Plaintiff”) moves, *ex parte*, for this Court to extend the time for filing the Joint Status Report and Proposed Scheduling Order until 30 days after this Court rules on Plaintiff’s *ex parte* motion for a TRO (Dkt. 9, 10, 15). The grounds for this motion are set forth below.

1. Plaintiff filed the Complaint in this case on April 29, 2022. Dkt. 1. The names of the defendants were filed under seal in order to prevent them from using notice of this lawsuit to secrete assets. Dkt. 2, 3.
2. On May 3, 2022, Plaintiff moved, *ex parte*, for entry of a temporary restraining order (“TRO”), including a temporary asset restraint, and expedited discovery. Dkt. 9, 10. In the memorandum filed in support of the motion, Plaintiff explained that the defendants are Chinese or Hong Kong entities who misappropriated Plaintiff’s website source code to create an interactive website that is using Plaintiff’s copyrighted images to sell counterfeit versions of Plaintiff’s products. Dkt. 10 at 1. Plaintiff submitted evidence that if the Defendants were given notice of this lawsuit, they would likely “reorganize and migrate to new websites under new names, as well as move any U.S. assets to off-shore bank accounts outside the

jurisdiction of this Court.” *Id.* at 4. Judges in this District have recognized that “proceedings against those who deliberately traffic in infringing merchandise are often useless if notice is given to the infringers.” *Id.* quoting, *Columbia Pictures Indus., Inc. v. Jasso*, 927 F. Supp. 1075, 1077 (N.D. Ill. 1996).

3. This Court has not ruled on Plaintiff’s motion for a TRO.
4. On May 27, 2022, Plaintiff filed Plaintiff’s *Ex Parte* Motion for Immediate Entry of Temporary Restraining Order. Dkt. 15. The motion pointed out that news reports had been published in China, identifying this lawsuit and warning potential defendants. The Court has not ruled on this motion.
5. On July 8, 2022, the undersigned contacted this Court’s minute clerk, inquiring about the status of Plaintiff’s motions.
6. Under the circumstances of this case, as set forth in the memorandum in support of Plaintiff’s TRO motion (Dkt. 10) and in the evidence filed in support of the motion, it is not possible for Plaintiff to present a status report that includes the information normally supplied to this Court. Because the Defendants have not been served with the complaint (for the reasons set forth in Dkt. 10), it has not been possible for Plaintiff to hold “Initial Status Conferences” and to file “Joint Initial Status Reports, or to confer with Defendants’ counsel, since Defendants have not been served and are not represented.

For the reasons set forth above, Plaintiff submits that this motion should be granted.

Date: July 18, 2022

Respectfully submitted,

RIMON, P.C.

/s/ Eric C. Cohen

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